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Express Mailing Label No. EV 554 500 759 US

PATENT APPLICATION

Docket: 16039.6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Fabrizio Alessandro Maspero et al.

Serial No.: 10/540,323 ✓

Filed: June 21, 2005

Confirmation No.: 1293

For: BIODEGRADABLE BIOCOMPATIBLE IMPLANT)



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VERNON R. RICE §
OF COUNSEL

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements mailed December 9, 2005, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- ☒ A Combined Declaration and Power of Attorney executed by the inventors.
- ☐ An Assignment conveying the invention to _____, including a Form PTO-1595 recordation cover sheet.
- ☐ A Declaration Claiming Small Entity Status Pursuant to 37 C.F.R. § 1.9 and § 1.27.
- ☐ The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27.

02/08/2006 MKAYPAGH 00000058 10540323

01 FC:1617

130.00 OP

* Admitted only in California
§ Admitted only in Virginia

X A copy of the Notification of Missing Requirements.

X A Certificate of Express Mail under 37 C.F.R. § 1.10.

___ To render the Response timely filed, enclosed are the following:

___ Petition for a ___-Month Extension of Time; and

___ Check No. ___ in the amount of \$___ to cover the fee for the extension of time.

The filing fee has been calculated as shown below.

| | | | SMALL ENTITY | | LARGE ENTITY | |
|--------------------------|-----------|-----------|--------------|-------|--------------|-------|
| FOR | NO. FILED | NO. EXTRA | RATE | FEE | RATE | FEE |
| BASIC FEE | | | | \$370 | | \$740 |
| TOT. CLAIMS | -20= | | X 9= | | X 18= | |
| IND. CLAIMS | -3= | | X 42 | | X 84= | |
| MULTIPLE DEPENDENT CLAIM | | | +140= | | +280= | |
| | | | TOTAL | | TOTAL | |

X Form PTO-2038 submitting Credit Card Payment in the amount of \$130.00 is enclosed to the surcharge fee pursuant to 37 C.F.R. § 1.16(e).

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 23-3178.

X Any additional filing fees required under 37 C.F.R. § 1.16.

X Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

X Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. § 1.17.

___ The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with this case to the attention of the undersigned.

DATED this 6th day of February 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dana L. Tangren", with a long horizontal flourish extending to the right.

DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913
Telephone No. 801.533.9800



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| | | |
|-----------------------------|-----------------------------|--------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/540,323 | Fabrizio Alessandro Maspero | 16195.2 |

22913
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INTERNATIONAL APPLICATION NO.

PCT/EP03/14771

I.A. FILING DATE

12/23/2003

PRIORITY DATE

12/23/2002

DOCKETED
 Action: MISS YES
 Response Due: 2/16/06
 By: guy On: 10/23/05
 Fee: 10039.6

CONFIRMATION NO. 1293

371 FORMALITIES LETTER



OC000000017620666

Date Mailed: 12/09/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/21/2005
- Copy of the International Search Report filed on 06/21/2005
- Preliminary Amendments filed on 06/21/2005
- Request for Immediate Examination filed on 06/21/2005
- U.S. Basic National Fees filed on 06/21/2005
- Priority Documents filed on 06/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/540,323 | PCT/EP03/14771 | 16195.2 |

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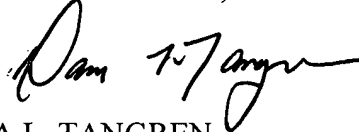
In re application of:)
)
Fabrizio Alessandro Maspero et al.)
)
Serial No.: 10/540,323)
)
Filed: June 21, 2005)
)
Confirmation No.: 1293)
)
For: BIODEGRADABLE BIOCOMPATIBLE IMPLANT)

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as Express mail, postage prepaid, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6th day of February 2006:

- Response to Notification of Missing Requirements (3 pgs.) (in duplicate)
- Combined Declaration and Power of Attorney (4 pgs.)
- Copy of Notification of Missing Requirements (2 pages)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$130
- Postcard

Respectfully submitted,



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